IN THE HIGH COURT OF JUDICATURE OF ANDHRA PRADESH AT HYDERABAD

(Special Original Jurisdiction)

FRIDAY THE NINTH DAY OF APRIL,

TWO THOUSAND AND FOUR

:PRESENT:

THE HON'BLE MR JUSTICE N.V. RAMANA

WRIT PETITION NO : 5872 of 2004

Between:

M/s Dhanista Construction, at D.No.27-32-47, On 75 Feet Road, Visakhapatnam, rep.by its Sole Proprietor Sri Jugal Kishore Rawat, S/o K.M.Rawat, aged about 52 years, R/o Visakhapatnam.

Petitioner

AND

The Commissioner of Municipal Corporation of Visakhapatnam, Visakhapatnam.

Respondent

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue an appropriate Writ, Order or direction more particularly one in the nature of Writ of Mandamus declaring the action of the Respondent in issuing the notice under Section 636 of the Hyderabad Municipal Corporations Act, 1955 proposing to demolish the alleged deviations in the constructions raised in T.S.No.983(P), Ward No.21, Plot Nos.45 and 46 situate at Kirlampudi Layout, Visakhapatnam in respect of the said constructions as highly illegal, with a direction tothe respondent not to demolish the constructions consisting of stilt for parking + Ground Floor + 3 Upper Floors + Part in 4th Floor raised in T.S.No.983(P) Ward No.21, Plot No.45 and 46 situate at Kirlampudi Layout, Visakhapatnam.

The petition coming on for hearing, upon perusing the petition and the affidavit filed in support there of and the order of the High court dated 26-3-2004 made herein and upon hearing the arguments of Mr.. M. V. S. Sai Kumar, Advocate for the Petitioner and of Mr. T. S. Venkatramana, S. C. for VMC.

THE COURT MADE THE FOLLOWING ORDER:

"At the request of learned Standing counsel for corporation, Post on 15-4-2004. The interim order earlier granted stands extended till then."

ASSISTANT REGISTRAR

// TRUE COPY //

for ASSISTANT REGISTRAR

To,

1. The Commissioner of Municipal Corporation of Visakhapatnam, Visakhapatnam.
2. One spare copy

YVN

HIGH COURT

YVN
DRAFTED ON: 13-4-2004

NVRJ

DATED: 9-4-2004

NOTE: POST ON 15-4-2004

ORDER
W.P.NO. 5872 OF 2004